

**Notice of Allowability****Application No.**

10/644,276

**Examiner**

DJENANE M. BAYARD

**Applicant(s)**

RAO ET AL

**Art Unit**

2444

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/04/10.
2. ☒ The allowed claim(s) is/are 1,9,11-14,19-21 and 24-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Giovannetti on 9/27/10

The application has been amended as follows:

Cancel claim 15.

1. (Currently Amended) A matching network system comprising: communication devices, servers comprising an application structured as a probabilistic finite state machine for tailoring the functionality of the application to a specific user and for predicting behavioral models based on actions of the specific user on the application to establish one or more personality states on the application, wherein the servers selectively maintain on the communication devices the probabilistic finite state machine and the behavioral models, communication channels coupled to the communication devices and the servers, wherein the communication devices and the servers interact to allow an individual communication device user to maintain a plurality of personality profiles comprising public personality profiles and private personality profiles, states and the

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behavior models, wherein the communication devices and the servers interact to allow forming one or more groups comprising individuals, the groups based on individual personality profiles, wherein the communication devices and the servers interact to allow the group to maintain a plurality of personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow communication between individuals based on selected personality profiles, wherein the communication devices and the servers interact to allow communication between the individuals and groups based on personality profiles, wherein the communication devices and the servers interact to allow information acquirement based on personality profiles, wherein the communication devices and the servers interact to execute transactions based on at least one of individual and group personality profiles, wherein transactions comprise commerce transactions, wherein the probabilistic finite state machine demonstrates behavior and learning based on at least one of a current personality state, the personality profile, the group personality profile, a product personality profile, a service personality profile, and a communication device profile, wherein the communication devices and the servers interact to allow a profile to be constructed/deconstructed into a plurality of profile components, wherein the communication devices and the servers interact to allow maintaining the profile components on the communication device, a local server and or network servers, wherein the communication devices and the servers interact to allow recompiling a profile dynamically for use on the communication device, wherein the communication devices and the servers interact to allow encrypting the profile components and a profile, wherein the communication devices and the servers interact to allow selecting and using a profile in communication and transactions.

9. (Currently Amended) A matching network system comprising: at least one communication device, servers communicating with the communication device and comprising an application structured as a probabilistic finite state machine for tailoring the functionality of the application to a specific user and for predicting behavioral models based on actions of the specific user on the application to establish one or more personality states on the application, wherein the servers selectively maintain on the communication device the probabilistic finite state machine and the behavior models, wherein the communication devices and the servers interact to allow products and services to be characterized by a plurality of personality profiles, comprising product personality profiles, service personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow matching the product personality profiles with user personality profiles, and for matching the service personality profiles with the user personality profiles, wherein users comprise consumers, wherein the communication devices and the servers interact to allow configuration and selection of products by the product personality profiles and the services by service personality profiles, wherein the communication devices and the servers interact to allow selection of at least one of products and services and for execution of commerce transactions comprising purchasing at least one of products and services wherein the probabilistic finite state machine demonstrates behavior and learning in response to the commerce transactions based on at least one of the state, the personality profile, the product personality profile, the service personality profile, and a communication device profile, wherein the communication devices and the servers interact to allow a profile to be

constructed/deconstructed into a plurality of profile components, wherein the communication devices and the servers interact to allow maintaining the profile components on the communication device, a local server and or network servers, wherein the communication devices and the servers interact to allow recompiling a profile dynamically for use on the communication device, wherein the communication devices and the servers interact to allow encrypting the profile components and a profile, wherein the communication devices and the servers interact to allow selecting and using a profile in communication and transactions.

24. (Currently Amended) A matching network system comprising: a server; and a mobile device coupled to the server, wherein the mobile device comprises an application structured as a probabilistic finite state machine for tailoring the functionality of the mobile device application to a specific user and for predicting behavioral models based on actions of the specific user on the application to establish one or more personality states on the application, protocols, and behavior and learning logic; wherein the server and the mobile device communicate to provide interaction between at least one of a personality profile of a user that uses the-probabilistic finite state machine to demonstrate behavior and learning, a group profile that uses the probabilistic finite state machine to demonstrate behavior and learning, at least one of a product and a service profile that uses the probabilistic finite state machine to demonstrate behavior and learning, and a device profile that uses the probabilistic finite state machine to demonstrate behavior and learning, wherein the mobile device and the server interact to allow a profile to be constructed/deconstructed into a plurality of profile components, wherein the mobile device and the server interact to allow maintaining the profile components on the mobile

device, a local server and or network servers, wherein the mobile device and the server interact to allow recompiling a profile dynamically for use on the mobile device, wherein the mobile device and the server interact to allow encrypting the profile components and a profile, wherein the mobile device and the server interact to allow selecting and using a profile in communication and transactions.

28. (Currently Amended) A matching network system comprising: a server comprising an application on the web structured as a probabilistic finite state machine for tailoring the functionality of the application to a specific user and for predicting behavioral models based on actions of the specific user on the application to establish one or more personality states on the application, protocols, and behavior and learning logic; and a mobile device coupled to the server, wherein the server selectively maintains on the mobile device the probabilistic finite state machine, the protocols, and the behavior and learning logic; wherein the server and the mobile device communicate to provide learning, predictive behavior, and past behavior modeling between at least one of a personality profile of a user that uses the probabilistic finite state machine to demonstrate behavior and learning, a group profile that uses the probabilistic finite state machine to demonstrate behavior and learning, at least one of a product and a service profile that uses the probabilistic finite state machine to demonstrate behavior and learning, and a device profile that uses the probabilistic finite state machine to demonstrate behavior and learning, wherein the mobile device and the server interact to allow a profile to be constructed/deconstructed into a plurality of profile components, wherein the mobile device and the server interact to allow maintaining the profile components on the mobile device, a local server and or network servers, wherein the mobile device and the server interact to allow

recompiling a profile dynamically for use on the mobile device, wherein the mobile device and the server interact to allow encrypting the profile components and a profile, wherein the mobile device and the server interact to allow selecting and using a profile in communication and transactions.

The following is an examiner's statement of reasons for allowance: The prior art in record fails to teach a matching network system comprising: communication devices, servers comprising an application structured as a probabilistic finite state machine for tailoring the functionality of the application to a specific user and for predicting behavioral models based on actions of the specific user on the application to establish one or more personality states on the application, wherein the servers selectively maintain on the communication devices the probabilistic finite state machine and the behavioral models, communication channels coupled to the communication devices and the servers, wherein the communication devices and the servers interact to allow an individual communication device user to maintain a plurality of personality profiles comprising public personality profiles and private personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow forming one or more groups comprising individuals, the groups based on individual personality profiles, wherein the communication devices and the servers interact to allow the group to maintain a plurality of personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow communication between individuals based on selected personality profiles, wherein the communication devices and the servers interact to allow communication between the individuals and groups based on personality profiles, wherein the

communication devices and the servers interact to allow information acquirement based on personality profiles, wherein the communication devices and the servers interact to execute transactions based on at least one of individual and group personality profiles, wherein transactions comprise commerce transactions, wherein the probabilistic finite state machine demonstrates behavior and learning based on at least one of a current personality state, the personality profile, the group personality profile, a product profile, a service profile, and a communication device profile, wherein the communication devices and the servers interact to allow a profile to be constructed/deconstructed into a plurality of profile components, wherein the communication devices and the servers interact to allow maintaining the profile components on the communication device, a local server and or network servers, wherein the communication devices and the servers interact to allow recompiling a profile dynamically for use on the communication device, wherein the communication devices and the servers interact to allow encrypting the profile components and a profile, wherein the communication devices and the servers interact to allow selecting and using a profile in communication and transactions in combination with all the elements in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



Any inquiry concerning this communication or earlier communications from the examiner should be directed to DJENANE M. BAYARD whose telephone number is (571)272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Jr Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Djenane M Bayard/  
Primary Examiner, Art Unit 2444